

STATE OF WISCONSIN

Senate Journal

Eighty-Sixth Regular Session

TUESDAY, January 25, 1983

10:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The roll was called and the following senators answered to their names:

Senators Adelman, Chilsen, Cullen, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Absent -- Senator Bablitch -- 1.

Absent with leave -- None.

The senate stood for the prayer which was offered by Pastor Roger A. Ganzel of Peace Lutheran Church, Waunakee.

The senate remained standing and Senator Davis led the senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 4

Relating to excepting pari-mutuel betting on horse racing from the prohibition against legislative authorization of lotteries (first consideration).

By Senator Roshell; cosponsored by Representatives Donoghue, Kincaid, Shoemaker, Crawford, Becker and Hasenohrl.

Read first time and referred to committee on Urban Affairs and Government Operations.

Senate Joint Resolution 5

Relating to prohibiting denial of equal rights on the basis of sex (2nd consideration).

By Senators Offner, Cullen, George, Maurer, Adelman, Roshell, Otte, Lee, Feingold, Strohl, Moen, Engeleiter, Risser, Norquist and Johnston; cosponsored by Representatives Miller, Johnson, Lewis, D. Travis, Stower, Czarnecki, Munts, Roberts, Looby, Manske, Sell, Chvala, Moyer, Wineke, Shoemaker, Loftus, Smith, Tesmer, Brist, Radtke, Panzer, Vanderperren, Medinger, Metz, Becker, Jauch, Gerlach, M. Coggs, Gilson, Meaux, Crawford, Bell and Ulichny.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Senate Joint Resolution 6

Relating to abolishing the constitutional offices of secretary of state and state treasurer (first consideration).

By Senators Davis, Lee, Risser, Johnston, Harsdorf, Lasee, Hanaway and Kleczka; cosponsored by Representatives Huelsman, Radtke, Czarnecki, Kasten, Gerlach, Young, Luckhardt and Stitt.

Read first time and referred to committee on Urban Affairs and Government Operations.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 33

Relating to regulation of public utilities by the public service commission, providing for a study and granting rule-making authority.

By Senators Strohl, Lee, Adelman, Feingold, George and Norquist; cosponsored by Representatives Crawford, Holschbach, Clarenbach, Czarnecki, Chvala, Plous, Kunicki, Bell, Becker, Seery, Neubauer, Gilson and Andrea.

To committee on Energy and Environmental Resources.

Senate Bill 34

Relating to small claims actions.

By Senators Davis, Risser, Kreul, Lorman, Feingold, Theno and Hanaway; cosponsored by Representatives Porter, Gilson, Schneiders, Stitt, McEssy, Schober and Bolle.

To committee on Judiciary and Consumer Affairs.

Senate Bill 35

Relating to exclusion from penalties for conflict of interest in public contracts.

By Senator Roshell; cosponsored by Representatives Looby and McEssy.

To committee on Labor, Business, Veterans Affairs and Tourism.

Senate Bill 36

Relating to discontinuance of mandatory elector registration services at high schools.

By Senators Roshell, Kreul, Lorman and Chilsen; cosponsored by Representatives Matty, McEssy and Buettner.

To committee on Judiciary and Consumer Affairs.

Senate Bill 37

Relating to search warrants.

By Senators Roshell and Lorman; cosponsored by Representatives Looby, Shoemaker, McEssy and Stower.

To committee on Judiciary and Consumer Affairs.

Senate Bill 38

Relating to persons eligible to act as a bingo caller or to participate in the management or operation of a bingo occasion.

By Senator Lee; cosponsored by Representative Meaux, by request of Donald W. Runnells.

To committee on Urban Affairs and Government Operations.

Senate Bill 39

Relating to criminal trespass to dwellings.

By Senator Strohl; cosponsored by Representatives Sell and Neubauer.

To committee on Judiciary and Consumer Affairs.

Senate Bill 40

Relating to counting shared-time pupils for state school aids purposes and granting rule-making authority.

By Senators Van Sistine, Offner, Otte, Kreul and Lorge; cosponsored by Representatives Vanderperren, Turba and Luckhardt.

To committee on Health, Education, Corrections and Human Services.

By request of Senator Maurer, with unanimous consent, the senate recessed until 10:42 A.M.

10:20 A.M.

RECESS

10:42 A.M.

The senate reconvened.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

Assembly Joint Resolution 1

Relating to the life and public service of Walter B. Chilsen.

Concurrence:

Ayes, 5 -- Senators Cullen, Risser, Offner, Harsdorf and Engeleiter;

Noes, 0 -- None.

Assembly Joint Resolution 2

Relating to the life and public service of Eugene M. Lamb.

Concurrence:

Ayes, 5 -- Senators Cullen, Risser, Offner, Harsdorf and Engeleiter;

Noes, 0 -- None.

Assembly Joint Resolution 3

Relating to the achievements of Edward G. Jackamonis as speaker of the Wisconsin state assembly.

Concurrence:

Ayes, 5 -- Senators Cullen, Risser, Offner, Harsdorf and Engeleiter;

Noes, 0 -- None.

TIMOTHY F. CULLEN
Chair

The committee on Health, Education, Corrections and Human Services reports and recommends:

REIVITZ, LINDA, of Madison, as Secretary of the Department of Health and Social Services, to succeed Donald Percy, to serve at the pleasure of the Governor.

Confirmation:

Ayes, 6 -- Senators Thompson, Moen, Strohl, Norquist, Davis and Lorman;

Noes, 0 -- None.

CARL W. THOMPSON
Chair

By request of Senator Cullen, with unanimous consent, the reading of the committee report was dispensed with and taken up at this time.

The committee on Senate Organization, acting under Senate Rule 20(1), reports and recommends the following nominations to committee for appointment by the Senate:

To the Air Resource Allocation Council, pursuant to sec. 15.347(5),

Senator Strohl
Senator Opitz

To the State Council on Alcohol and Other Drug Abuse, pursuant to sec. 14.017(2),

Senator George
Senator Chilsen

To the Council on Child Labor, pursuant to sec. 15.227(5)(c),

Senator Van Sistine
Senator Chilsen

To the Education Commission of the States, pursuant to sec. 39.76(1); 39.75, Art.III(A),

Senator Moen

To the Educational Communications Board, pursuant to sec. 15.57,

Senator George
Senator Harsdorf

To the Council on Highway Safety, pursuant to sec. 15.467(3),

Senator Adelman
Senator Kreul

To the Council on Housing, pursuant to sec. 15.157(3),
Senator Thompson

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To the Wisconsin Housing Finance Authority, pursuant to sec. 234.02(1),
Senator Kleczka

To the Commission on Interstate Cooperation, pursuant to sec. 13.54(1),
Senator Maurer
Senator Lee
Senator Lorge

To the Legislative Council, pursuant to sec. 13.81(1),
Senator Bablitch
Senator Strohl
Senator Engeleiter

To the Council on Migrant Labor, pursuant to sec. 15.227(8),
Senator Otte
Senator Lorman

To the Minnesota-Wisconsin Boundary Area Commission, pursuant to sec. 14.82(1),
Senator Roshell
Senator Moen
Senator Harsdorf
Senator Kreul

To the Radiation Protection Council, pursuant to sec. 15.197(12)(b),
Senator Strohl

To the Radioactive Waste Review Board, pursuant to sec. 15.105(11)(b),
Senator Strohl

To the Joint Survey Committee on Retirement Systems, pursuant to sec. 13.50(1)(intro) and (a),
Senator Otte
Senator Maurer
Senator McCallum

To the State Capitol and Executive Residence Board, pursuant to sec. 15.105(5),
Senator Kleczka
Senator Risser
Senator Lasee

To the State Supported Programs Study and Advisory Committee, pursuant to sec. 13.47 (intro),
Senator Van Sistine
Senator George
Senator Moen
Senator Feingold
Senator Opitz

To the Joint Survey Committee on Tax Exemptions, pursuant to sec. 13.52(1)(intro) and (a),
Senator Roshell
Senator Norquist
Senator Engeleiter

To the Council on Traffic Law Enforcement, pursuant to sec. 15.467(1)(c),
Senator Roshell
Senator Kreul

To the Commission on Uniform State Laws, pursuant to sec. 13.55(1),
Senator George
Senator Davis

TIMOTHY F. CULLEN
Chair

The question was: Shall the committee report be adopted?
Adopted.

PETITIONS AND COMMUNICATIONS

Senate Petition 1

A petition by 4,039 residents of the state of Wisconsin, in support of raising the legal minimum drinking age to 21.

By Senator Theno.

Read and referred to committee on Labor, Business, Veterans Affairs and Tourism.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

January 24, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint William P. Dixon of Madison, as the Commissioner of Banking to succeed Thomas E. Pederson, pursuant to the statutes governing, to serve a term to expire March 1, 1989, at a salary of \$52,000 for 1983, \$53,000 for 1984, \$54,000 for 1985, \$55,000 for 1986 and \$56,000 for 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Labor, Business, Veterans Affairs and Tourism.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

January 24, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Marshall Gratz of Shorewood, to the Wisconsin Employment Relations Commission to succeed Morris Slavney, pursuant to the statutes governing, to serve a term to expire March 1,

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1989, at a salary of \$50,008 for 1983, \$52,508 for 1984, \$55,133 for 1985, \$57,890 for 1986 and \$60,784 for 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Labor, Business, Veterans Affairs and Tourism.

By request of Senator Cullen, with unanimous consent, the rules were suspended and the Senate Organization Scheduling Report was considered as the Calendar of January 25.

CALENDAR OF JANUARY 25

REIVITZ, LINDA, of Madison, as Secretary of the Department of Health and Social Services, to succeed Donald Percy, to serve at the pleasure of the Governor.

Read.

The question was: Shall the appointment be confirmed?

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

Absent or not voting -- Senator Bablitch -- 1.

So the appointment was confirmed.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 82-198

AN ORDER to repeal ch. Ind 3; and to create ch. ILHR 8, relating to mines, pits and quarries.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, January 24, 1983.

Referred to committee on Labor, Business, Veterans Affairs and Tourism, January 25, 1983.

Clearinghouse Rule 82-211

AN ORDER to repeal chs. Ret 5 and 6 and TR 6 and 16; and to create ETF 20.20, subch. 3 (title) of ch. 60 and 60.51, relating to cancellation of applications.

Submitted by Department of Employee Trust Funds.

Report received from agency, January 20, 1983.

Referred to committee on Urban Affairs and Government Operations, January 25, 1983.

Clearinghouse Rule 82-217

AN ORDER to amend PSC 185.32; and to create PSC 185.37 (2) (d), relating to authorizing water utilities to disconnect the service of customers who do not allow meter reading.

Submitted by Public Service Commission.

Report received from agency, January 21, 1983.

Referred to committee on Energy and Environmental Resources, January 25, 1983.

CALENDAR OF JANUARY 25

Assembly Joint Resolution 1

Relating to the life and public service of Walter B. Chilsen.

Read.

Concurred in by unanimous rising vote.

Assembly Joint Resolution 2

Relating to the life and public service of Eugene M. Lamb.

Read.

Concurred in by unanimous rising vote.

Assembly Joint Resolution 3

Relating to the achievements of Edward G. Jackamonis as speaker of the Wisconsin state assembly.

Read.

Concurred in.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Thursday, January 27.

10:56 A.M.